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# OAKLAND CITY COUNCIL

Resolution No. \_\_\_\_\_ C.M.S.

INTRODUCED BY COUNCIL PRESIDENT LYNETTE GIBSON MCELHANEY

**RESOLUTION TO SUPPORT THE HOUSE JOINT RESOLUTION 25 WHICH DECLARES THE RIGHT TO VOTE THROUGH A CONSTITUTIONAL AMENDMENT, IN ORDER TO PROMOTE DEMOCRACY, AND PREVENT POLITICAL, RACIAL, AND DISCRIMINATORY LIMITATIONS ON VOTING ACCESS.**

**WHEREAS**, in May 2013, United States Representatives Mark Pocan and Keith Ellison introduced House Joint Resolution ("HJR") 25; and

**WHEREAS**, in January 2015, United States Representative Mark Pocan reintroduced HJR 25, with twenty-seven Democratic co-sponsors; and

**WHEREAS**, HJR 25 states that every United States citizen of legal voting age has the constitutional right to vote; and

**WHEREAS**, the text of HJR 25 reads:

*Section 1.* Every citizen of the United States, who is of legal voting age, shall have the fundamental right to vote in any public election held in the jurisdiction in which the citizen resides.

*Section 2.* Congress shall have the power to enforce and implement this article by appropriate legislation.''. ; and

**WHEREAS**, the Voting Rights Act was proposed by President Lyndon B. Johnson and members of Congress at the request of civil rights leaders upon the determination that existing anti-discrimination laws were insufficient to ensure state officials were enforcing the 15<sup>th</sup> amendment; and

**WHEREAS**, the Voting Rights Act, originally passed in 1965, ensured voting rights by removing barriers to voting, such as literacy tests, and later amendments in 1975 and 1982 further protected voting rights by restricting gerrymandering; and

**WHEREAS**, however, in 2013, the Supreme Court struck down Section 4 of the Voting Rights Act, stripping the Justice Department of the power to curb racial discrimination in voting; and

**WHEREAS**, the Brennan Center for Justice reports that at least 83 restrictive bills were introduced in 29 states in 2014; and

**WHEREAS**, creating federal law declaring voting as a constitutional right will limit each state's ability to create their own voting laws, such as those that restrict voting, for example, voter identification requirements which certain states have recently implemented and which have been shown to disproportionately prevent low-income citizens and citizens of color from voting; and

**WHEREAS**, every American citizen should be able to express their opinions, record their choices for elected officials, and engage in the democratic process through voting; now, therefore, be it

**RESOLVED:** That the City Council of Oakland strongly supports the passage of House Joint Resolution 25.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID  
AND PRESIDENT GIBSON MCELHANEY

NOES -  
ABSENT -  
ABSTENTION -

ATTEST:

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LATONDA SIMMONS  
City Clerk and Clerk of the Council of the  
City of Oakland, California